

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

E.K. and A.O., in their capacity as parents and  
guardians of minor students D.O. and J.O.,

Plaintiffs,

v.

NOOKSACK VALLEY SCHOOL DISTRICT,  
*et al.*,

Defendants.

CASE NO. C20-1594-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on the parties' stipulated motion for leave for Plaintiffs to amend the complaint (Dkt. No. 11). Defendants consent to the amendment, and it is proper under Federal Rule of Civil Procedure 15. *See* Fed. R. Civ. P. 15(a)(2) ("a party may amend its pleading . . . with the opposing party's consent"). "Once the adverse party has consented to the amendment of a pleading, the court has no control over the matter under Rule 15(a)." *Fern v. United States*, 213 F.2d 674, 677 (9th Cir. 1954). Accordingly, the Court GRANTS the parties' stipulated motion. Plaintiffs must file the amended complaint within 14 days of this order. The amended complaint may not differ from the complaint attached to the parties' motion at Dkt. No. 11. In light of the forthcoming amended complaint, Defendants'

1 pending motion to dismiss (Dkt. No. 10) is DENIED without prejudice as moot.

2 DATED this 21st day of December 2020.

3 William M. McCool

4 Clerk of Court

5 s/Paula McNabb

6 Deputy Clerk